

U.S. Patent Application Serial No. 10/730,258
Amendment filed October 18, 2006
Reply to OA dated July 21, 2006

REMARKS

Claims 1-5 are pending in this application. An amendment is proposed canceling claim 2 without prejudice or disclaimer and amending claim 1. Upon entry of this amendment claims 1 and 3-5 will be pending.

No new matter is added by this amendment. Support for the amendment to claim 1 is discussed below.

It is believed that this amendment is fully responsive to the final Office action dated July 21, 2006.

The objection of claims 2-4 as being dependent upon a rejected base claim is maintained. (Office action paragraph no. 3)

The objection is moot for claim 2, which has been canceled without prejudice or disclaimer. Reconsideration of the objection of claims 3 and 4 is respectfully requested in view of the amendment to claim 1, discussed below.

The rejection of claims 1-6 under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential steps ... is maintained for the reasons set forth in the previous office action on page 3, paragraph 3. (Office action paragraph no. 4)

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Reconsideration of the rejection is respectfully requested in view of the amendment to claim 1. The Examiner indicates that the claims should include the recovery step disclosed on page 14, lines 7-8, of the specification. Claim 1 has been amended to include this step.

The rejection of claims 1 and 5 under 35 U.S.C. 102(b) as being anticipated by Haynes et al. is maintained for the reason set forth in the previous office action on page 3, paragraph 4. (Office action paragraph no. 5)

Reconsideration of the rejection is respectfully requested in view of the amendment to claim 1. Claim 1 has been amended to incorporate the limitation of claim 2, that: "the ratio of free glutamic acid to total amino acids contained in the medium is within the range of 35 to 90% by weight." Claim 2 has accordingly been canceled without prejudice or disclaimer. Claim 2 was not rejected in this rejection, and the Applicant submits that there is no disclosure of or suggestion for this limitation in Haynes et al.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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